

# **DRAFT**

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION**

December 10, 2013

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session I 7:30 PM Regular Meeting

Present: Arfsten; Clemens; DeFrancisco

Absent:

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING**

December 10, 2013

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session I 7:30 PM Regular Agenda

Posted by: Matthew McCombs, December 6, 2013, 5:00pm

Present: Arfsten; Clemens; DeFrancisco; Gunther; Meier; Moore

Absent: Resnik

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### **WORK SESSION**

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WS1 Presentation and discussion regarding the rebranding campaign for the Town of Addison.

#### **RECOMMENDATION:**

There is no administrative recommendation for this item.

Carrie Rice, Director of Marketing and Communications, and Laura Schieber, Vivanti Group, presented and spoke regarding this item.

There was no action taken on this item.

WS2

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Presentation and discussion regarding the Town of Addison's 60th Anniversary Celebration.

**RECOMMENDATION:**

There is no administrative recommendation for this item.

Mayor Todd Meier, Mayor Pro Tem Blake Clemens, and Lea Dunn Deputy City Manager, spoke regarding this item.

There was no action taken on this item.

WS3

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Discussion regarding the Town of Addison's Holiday Brunch held on December 1, 2013.

**RECOMMENDATION:**

There is no administrative recommendation for this item.

Rob Bourestom, Conference Center Manager, and Lea Dunn, Deputy City Manager, spoke regarding this item.

There was no action taken on this item.

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## **REGULAR MEETING**

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### **Pledge of Allegiance**

Announcements and Acknowledgements regarding Town and Council Events and Activities

Introduction of Employees

Discussion of Events/Meetings

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Consent Agenda.

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- 2a Approval of the Minutes for the October 14, 2013 Work Session and Special Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

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- 2b Approval of the Minutes for the October 28, 2013 Work Session and Special Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

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- 2c Approval of the Minutes for the November 26, 2013 Work Session and Regular Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

2d

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Approval for the City Manager to sign a termination of easement agreement between The Village on the Parkway (VOP, LP), and the Town of Addison regarding termination of a parking easement in the Village on the Parkway.

**RECOMMENDATION:**

Administration recommends approval of the termination of easement agreement.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

2e

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Approval authorizing the City Manager to execute a cooperative purchasing agreement with the City of Cedar Hill, subject to final review and approval by the City Attorney and City Manager.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

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Regular Items

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R3

Presentation of the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2012.

**RECOMMENDATION:**

There is no administrative recommendation for this item.

Eric Cannon, Chief Financial Officer, presented and spoke regarding this item.

There was no action taken on this item.

R4

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**PUBLIC HEARING.** Public Hearing regarding the City Council process for selecting a person to serve as the new City Manager upon the retirement of the current City Manager.

**RECOMMENDATION:**

There is no administrative recommendation for this item.

John Hill, City Attorney, spoke regarding this item.

The following individuals spoke at the public hearing:

Morris Norwood, 14593 Longfellow  
Ivan Hughes, 14925 Oaks North  
Mary Carpenter, 4006 Winter Park  
Sue Halpern, 14800 Le Grande  
Billy Dreis, 4025 Morman  
Justin Pierce, Addison Police Association  
Robert Haddock, Fire Department  
Bunny Summerlin, 4000 Morman  
Linda Groce, 4102 Pokolodi  
Mike Devereaux, 15032 Winwood  
Al Angell, 14540 Winwood  
Randy Smith, 14933 Havenshire  
Liz Oliphant, 14700 Marsh  
Denise Fansler, 3725 Chatham  
Ralph Doherty, 14718 Celestial  
Susanne Oliver, 14605 Hemingway  
Robert Jacoby, 4016 Rive  
Tom Hunse, 14784 Winwood  
Dan Basso, 14916 Bellbrook

There was no action taken on this item.

R5

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Presentation by Billy Dreis and discussion regarding the Town of Addison's dog parks.

**RECOMMENDATION:**

There is no administrative recommendation for this item.

Billy Dreis, 4025 Morman, presented and spoke regarding this item.

There was no action taken on this item.

R6

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**PUBLIC HEARING** Case 1675-Z/Town of Addison. Public Hearing, discussion and consideration of approval of an ordinance amending the Code of Ordinances of the Town by amending Appendix A – Zoning, thereof, the same being the Comprehensive Zoning Ordinance, by amending Article XX (Special Uses), Section 1, Subsection A, by adding to the list of Special Uses a microbrewery in any district other than a Planned Development District and in any Planned Development District where a microbrewery is allowed (New Subsection A.(39)), subject to the adoption of an ordinance authorizing the same, and amending Section XXX (definitions) by adding thereto a definition of microbrewery, on application from the Town of Addison, represented by Carmen Moran.

**COMMISSION FINDINGS:**

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the Code of Ordinances of the Town by amending Appendix A – Zoning, thereof, the same being the Comprehensive Zoning Ordinance, by amending Article XX (Special Uses), Section 1, Subsection A, by adding to the list of Special Uses a microbrewery in any district other than a Planned Development District and in any Planned Development District where a microbrewery is allowed (New Subsection A. (39), subject to the adoption of an ordinance authorizing the same, all in accordance with the terms, conditions and restrictions set forth in this ordinance and in any other ordinance of the Town and with applicable laws, rules and regulations; and amending Section XXX (definitions) by adding thereto a definition of microbrewery.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

**RECOMMENDATION:**

Administration recommends approval.

Carmen Moran, Director of Development Services, presented and spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, as submitted

Seconded by Moore

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

R7

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**PUBLIC HEARING** Case 1676-SUP/BodyGuard Sports, LLC.

Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4949 Belt Line Road, which is currently zoned Commercial-1 (C-1) approving for that property a Special Use Permit for a form of commercial amusement (an indoor weapons training and shooting facility) (C-1), at 4949 Belt Line Road, on application from BodyGuard Sports, LLC, represented by Mr. William M. Brandenburg.

**COMMISSION FINDINGS:**

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the zoning on a property located at 4949 Belt Line Road by approving for that property a Special Use Permit for a form of commercial amusement (an indoor weapons training and shooting facility) located in a Commercial-1 district (C-1), subject to the following conditions:

- The applicant shall provide calculations and quantities for the site so the staff can determine if the required 20% site landscaping has been met.
- Four new shade trees shall be added to the Quorum Drive frontage.
- Additional shrubs shall be planted along the Quorum Drive frontage following the removal of the temporary leasing sign.

- The parking lot islands shall be filled in with additional plant material to meet the requirements of the landscaping ordinance.
- The Bradford pear trees along the north side of the building shall be replaced with 4" caliper trees (which shall be approved by the Town prior to installation).

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

#### RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, and Bill Brandenburg, BodyGuard Sports, LLC, presented and spoke regarding this item.

The following individuals spoke at the public hearing:

Darryl Snadon, 15280 Addison

Mark Summer, 15280 Addison

Gary Rochelle, BodyGuard Sports, LLC

Mike Devereaux, 15032 Winwood

Bill Brandenburg, BodyGuard Sports, LLC

Motion made by Meier to continue the public hearing to January 14, 2014 at 7:30 PM at Town Hall

Seconded by Clemens

Motion made by Meier

to amend the original motion to change the date to January 6, 2014

Seconded by Clemens

**Voting** AYE: Arfsten, Clemens, Gunther, Meier, Moore

NAY: DeFrancisco

Passed



Voting Aye on the original motion as amended.

**Voting AYE:** Arfsten, Clemens, Gunther, Meier, Moore

**NAY:** DeFrancisco

Passed

R8

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**PUBLIC HEARING** Case 1677-SUP/Home 2 Suites by Hilton.

Public Hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4901 Belt Line Road, which is currently zoned Commercial C-2, by approving for that property a Special Use Permit for a hotel, on application from Magnolia Lodging Development, LLC, represented by Mr. Matthew W. Newton.

**COMMISSION FINDINGS:**

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the zoning on a piece of property located at 4901 Belt Line Road, which is currently zoned Commercial-2 (C-2) by approving for that property a Special Use Permit for a hotel, subject to the following conditions:

- The applicant shall provide the Town of Addison an official height determination from the FAA (form 7460-1) before a building permit is issued.
- The property owner shall provide an Avigation Easement to the Town prior to the issuance of a building permit for the project.
- The applicant shall confirm where the future water/sewer/drainage connections are going to be made to this site, and clarify whether they will be in the proposed parking lot or on the hotel site. The applicant must submit drainage calculations and drawings to “prove up” the detention requirements.
- This site and the retail building site for Potbelly/Taco Diner must be re-platted to accommodate the moved property lines and moving of parking areas between this site and the retail building site. This re-plat shall be completed prior to the issuance of a building permit for the hotel.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

**RECOMMENDATION:**

Administration recommends approval.

Carmen Moran, Director of Development Services, and Matthew Newton, Magnolia Lodging Development, LLC, presented and spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by Arfsten to approve, as submitted, with the conditions listed

Seconded by Gunther

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore

Passed

R9

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**PUBLIC HEARING** Case 1678-SUP/Gloria's Restaurant. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 5100 Belt Line, Suite 864, which property is currently zoned PD, Planned Development, through Ordinance 012-001, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Gloria's Restaurant, represented by Mr. Matthew Crittenden of MSC Design, LLC.

**COMMISSION FINDINGS:**

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 5100 Belt Line, Suite 864, which property is currently zoned PD, Planned Development, through Ordinance 012-001, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Gloria's Restaurant, subject to no conditions, as the landscaping plan the staff had requested was submitted before the meeting.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

**RECOMMENDATION:**

Administration recommends approval.

Carmen Moran, Director of Development Services, presented and spoke regarding this item.

The following individual spoke at the public hearing:

Matthew Crittenden, MSC Design, LLC

Motion made by Clemens to approve, as submitted  
Seconded by DeFrancisco

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

R10

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**PUBLIC HEARING** Case 1679-SUP/Greenhill School. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4141 Spring Valley Road, located in a Residential-1 (R-1) district by approving for that property an amendment to an existing Special Use Permit for a private school, on application from Greenhill School, represented by Mr. Milton Powell of Page Southerland Page Architects.

**COMMISSION FINDINGS:**

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance changing the zoning on property located at 4141 Spring Valley Road, located in a Residential-1 (R-1) district by approving for that property an amendment to an existing Special Use Permit for a private school, on application, subject to the following conditions:

- The landscaping plans should be revised to include the following items:
  1. The landscape buffer along Spring Valley should include a mixture of various shade trees instead of a monoculture of one type of tree.
  2. The Lacebark Elm trees should be replaced with a different

variety of shade tree due to the Cotton Root Rot that is found in many parts of Addison.

3. Decomposed granite in the swale plantings should not be installed on slopes greater than 2% due to wash-out.
  4. The plan should ensure that turf replacement covers all areas disturbed by construction (vegetative swale on P-AS 101 versus P-L 201).
  5. The plans should label the contours on the south side of the PAAC building and identified as a landscape berm (P-AS 101).
- The applicant shall provide specification sheets on the pavers proposed so that the Town can be sure they will support the weight of the Fire Department equipment. In addition, the school must provide the Town with a letter from a registered Engineer certifying that the pavers are suitable for use as a fire lane.
  - The applicant shall provide the Town's Engineering staff with information proving that the proposed rain gardens/bioswales will act as stormwater detention and that there is sufficient capacity as required by the Addison Stormwater Manual.
  - The school site shall be re-platted to include the sports fields at the southeast corner back in with the school property prior to the issuance of a building permit for the Performing Arts and Assembly Center.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

#### RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, presented and spoke regarding this item. Scott Griggs, Greenhill School, also spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, as submitted, with the conditions listed

Seconded by Arfsten

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

R11

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Presentation, discussion, and consideration of approval of amendment number 6 to the Program/Project Management Professional Services agreement between the Town of Addison and R.H. Shackelford, Inc. in the amount not to exceed \$402,870.74.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, presented and spoke regarding this item.

Motion made by Arfsten to approve, as submitted  
Seconded by Gunther

**Voting** AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier,  
Moore

Passed

R12

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Discussion, review, and consideration of action regarding attendance by members of the City Council at City Council meetings.

RECOMMENDATION:

There is no administrative recommendation for this item.

John Hill, City Attorney, presented and spoke regarding this item.

Motion made by Meier to produce an annual report of attendance by City Council members at regular council meetings in a similar fashion to the Planning and Zoning Commission

Seconded by Moore

**Voting** AYE: Clemens, Meier, Moore  
NAY: Arfsten, DeFrancisco, Gunther

Failed

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Executive Session

ES1

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Closed (executive) session of the Addison City Council, pursuant to Section 551.072, Texas Government Code, to deliberate the lease or value of certain real property within the Town located in that area generally known as Office in the Park.

RECOMMENDATION:

There is no administrative recommendation for this item.

Item was pulled and no closed session was held.

There was no action taken on this item.

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Regular Items Continued

R13

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Presentation, discussion, and consideration of any action regarding authorizing the City Manager to negotiate for the Town, as tenant, a lease of office space described as Suite 200, 14681 Midway Road (within the development generally known as Office in the Park), comprised of approximately 14,800 rentable square feet and owned by 14671-14683 Midway Road LP.

RECOMMENDATION:

Administration recommends approval.

Item was pulled.

There was no action taken on this item.

Adjourn Meeting

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Mayor-Todd Meier

Attest:

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City Secretary-Matthew McCombs